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Total Pages
Including Cover:

From: Kellie L. Carden
Sender's Direct Line: (703) 744-7919
Date: September 9, 2004
Client Number: 020728.0101PTUS

Comments:

Confirmation Number: 8979
U.S. Reissue Application No. 09/404,979
Filed: September 22, 1999
For: PEPTIDE-MEDIATED GENE TRANSFER

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Please notify Kellie Carden at 703-744-7919 of the disposition of this request in advance of the SEPTEMBER 14, 2004 deadline.

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PTO/SB/97 (08-03)

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Applicant:	Gopal	Group Art Unit: 1636
Reissue Appl.:	09/404,979	
Filed:	September 22, 1999	Examiner: McKelvey, T
For:	PEPTIDE-MEDIATED GENE TRANSFER	

- (1) Transmittal Letter (1 page)
- (2) Request For Extension of Time Under 37 C.F.R. § 1.136(b) (2 pages)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

020728.0101PTUS

PATENT

Applicant : Gopal) Group Art Unit: 1636
Reissue Appl. : 09/404,979)
Filed : September 22, 1999) Request for Extension of Time
For : PEPTIDE-MEDIATED) Under 37 C.F.R. § 1.136(b)
GENE TRANSFER)
Examiner: McKelvey, T.)

TRANSMITTAL LETTER

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SEP 09 2004

Honorable Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed for filing in the above-identified application is:

(x) A Request for Extension of Time

It is believed that no fees are due. However, if necessary please charge deficient fees, or credit any overpayment of fees associated with this communication to Deposit Account No. 50-2228.

By: Kellie L. Carden
Kellie L. Carden, Esq.

Registration No. 52,696

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Reissue Application No. 09/404,979

-1-

Attorney Docket No. 020728.0101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

GENAPP.002RA	(020728.0101PTUS)	PATENT
Applicant :	Gopal) Group Art Unit: 1636
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For :	PEPTIDE-MEDIATED)
	GENE TRANSFER)
)
Examiner: McKelvey, T.)

Honorable Commissioner for Patents
Washington, D.C. 20231


Dear Sir:

Applicant hereby requests that the shortened statutory period for response set to expire two months from the mailing date of the Office Action of 7/14/2004 be extended ONE MONTH under the provisions of 37 CFR §1.136(b).

Examiner noted in the 7/14/2004 Office Action that any extensions of time must be requested in advance under the provisions of 37 CFR §1.136(b) only. An extension of time is warranted under 37 CFR §1.136(b) because Applicant was required to negotiate the assignment of a patent in order to meet Examiner's requirement of filing a terminal disclaimer. The delay in negotiating the assignment makes it unlikely that the response will be completed in the allotted time because the completed response additionally requires a supplemental declaration under 37 CFR §1.175(b)(1). Negotiating an agreeable time to execute the requested declaration with the inventor appears unlikely in the remaining time in light of his schedule.

Sufficient cause having been shown for a reasonable one-month extension of time, Applicant earnestly requests that the Applicant's Request for Extension of Time Under 37 CFR §1.136(b) be granted. In view of the deadline of 09/14/2004 (two months from the mailing date of 07/14/2004), Applicant respectfully asked that the Examiner contact the undersigned at the telephone or facsimile number provided below with a decision as soon as possible.

Respectfully Submitted:



Kellie L. Carden
Registration No. 52,696

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